IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 320 (SS) OF 2006

Anil Kumar,
S/o late Sri Raja Ram Saxena,
Presently posted as Library Attendant,
Kanhyaiya Lal Ploytechnic, Roorkee,
District Haridwar. .....Petitioner.

Versus

1. Principal Kanhaiyal Lal Polytechnic, Roorkee, District Haridwar.
2. Committee of Management, Kanhaiya Lal Polytechnic, Roorkee, District Haridwar, through its Chairman.
3. Director, Technical Education, Uttaranchal, Srinagar (Garhwal). .....Respondents.

Mr. Manoj Tiwari, Advocate for the petitioner.
Learned Standing Counsel for the respondents.

Dated: 8th March, 2006

Hon'ble Rajesh Tandon, J.

Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 28.02.2006 passed by the respondent no. 1 (Annexure No. 6 to the Writ Petition). Further prayer has been made for a writ of mandamus restraining the respondent no. 1 and 2 from harassing the petitioner in any manner whatsoever. The petitioner has confined his prayer for disposal of the representation.

Briefly stated, the petitioner was given regular appointment on the post of Library Attendant by the then Principal of Kanhaiya Lal Polytechic, Roorkee, vide order dated 01.11.1989 on probation for a period of one year and after successful completion of the probation period, service of the petitioner was confirmed on the said post on 1.11.1990.

The grievance of the petitioner is that without any reason, he has been transferred from the post of Library Attendant to the post of Chaukidar vide order dated 28.02.2006 passed by the respondent no. 2.

Petitioner prays for and is permitted to file a representation stating his grievances before the respondent no. 3 within a period of two weeks from the date of presentation of the certified copy of the order. If such a representation is filed, the same shall be disposed of by the respondent no. 3 within a period of four weeks thereafter considering the grievances of the petitioner. Till the disposal of the representation the order dated 28.02.2006 shall remain in abeyance.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

08.03.2006
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